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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 ANDREW COPELAND and LEILA
12 COPELAND, husband and wife, and the marital
community composed thereof,

13 Plaintiffs,

14 v.

15 MARYLAND CASUALTY COMPANY, a
foreign corporation,

16 Defendant.
17

CASE NO. C04-1725RSM

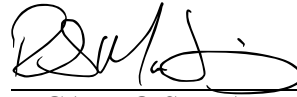
ORDER ON MOTION TO STRIKE

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19 This matter is before the Court for consideration of plaintiffs' motion to strike (Dkt. # 90) and
20 motion to shorten time for consideration of the motion to strike (Dkt. # 91). Although these motions are
21 not yet ripe, the Court deems it proper to rule on them expeditiously, before defendant is put to the
22 burden of responding, because both motions are frivolous.

23 Plaintiffs have moved to strike defendant's reply brief on the pending summary judgment motion,
24 contending that it was filed one day late. The reply (Dkt. # 89) was filed on August 12, 2005, the noting
25 date for the summary judgment motion. Pursuant to this Court's local rules, reply papers "shall be filed
26 and served **no later than the noting date.**" Local Rule CR 7(d)(3), as amended January 1, 2005
27 (emphasis added). Defendant's reply was therefore not untimely.
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1 Accordingly, plaintiffs' motion to strike (Dkt. # 90) is DENIED, and plaintiffs' motion to shorten
2 time for consideration of the motion to strike (Dkt. # 91) is STRICKEN.

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4 DATED this 16 day of August, 2005.

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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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